

(R-89-1940)

RESOLUTION NUMBER R- 273367

ADOPTED ON MAY 2 1989

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, CALLING FOR BIDS ON SALE OF BONDS, APPROVING OFFICIAL NOTICE OF SALE AND OFFICIAL STATEMENT AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO.

(Assessment District No. 4029  
Sorrento Valley Road - Sorrento Valley Boulevard to  
I-805)

WHEREAS, this City Council of The City of San Diego has confirmed an assessment on Assessment District No. 4029 for the widening and relocation of Sorrento Valley Road between Sorrento Valley Boulevard and I-805 in the amount of \$2,663,314; pursuant to Resolution No. R-273364 adopted May 2, 1989;

WHEREAS, this City Council stated in its Resolution of Intention No. R-273086 adopted March 20, 1989, that it intends to issue limited obligation improvement bonds in an amount representing assessments remaining unpaid for thirty (30) days after the date of recordation of the Notice of Assessment, which amount will not exceed \$2,663,314, pursuant to the Improvement Bond Act of 1915, Division 10 of the Streets and Highways Code (the "Bonds"); and

WHEREAS, pursuant to this City Council's authorization, the City's bond counsel has prepared and presented to this City Council a Preliminary Official Statement dated May 2, 1989 (the "Official Statement") and an Official Notice of Sale (the

"Notice"), containing information material to the offering and sale of the Bonds; and

WHEREAS, this City Council, with the aid of its staff, has reviewed the Notice and the Official Statement, has made such corrections and additions thereto as it deems proper and has determined that the facts therein set forth are true and correct in all material respects and that the Notice and the Official Statement contain no untrue statements of a material fact nor omit to state material facts required to be stated or which are necessary to make a statement not misleading in light of the circumstances under which it was made; NOW, THEREFORE,

The City Council of The City of San Diego, California, DOES HEREBY RESOLVE, DETERMINE and ORDER as follows:

Section 1. Approval of the Official Notice of Sale and Official Statement. The Official Notice of Sale and Official Statement are approved for distribution in the offering and sale of the Bonds.

Section 2. Call for Bids. The Superintendent of Streets is authorized and directed to execute and deliver the Notice and Official Statement on behalf of this City Council and to call for bids for the sale of the Bonds, to be received, declared and awarded at the times and in the manner set forth in the Notice.

Section 3. Corrections and Additions to Notice and Official Statement. The Superintendent of Streets is also authorized, in executing the Notice and Official Statement, to approve further corrections and additions therein by supplement or amendment thereto, or otherwise as appropriate, provided that any such

corrections or additions shall be necessary to cause the information contained therein to conform with facts material to the Bonds or to the proceedings of this City Council, or provided that such corrections or additions are in form rather than in substance.

Section 4. Distribution and Publication of Notice. The Superintendent of Streets, on behalf of this City Council, is authorized and directed to cause the Notice and Official Statement to be distributed to such municipal bond broker-dealers, to such banking institutions and to such other persons as may be interested in purchasing the Bonds therein offered for sale. The Superintendent of Streets is also authorized and directed to cause the Notice and any supplements thereto to be published in the Bond Buyer no less than ten (10) days before the bid opening date set forth in the Notice.

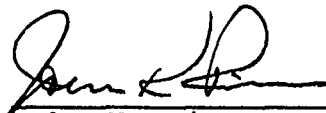
Section 5. Certificate of Accuracy. The Superintendent of Streets or an appropriate member of the City Council staff is authorized and directed to execute and cause to be delivered to the purchaser of the Bonds a statement that, to the signator's best knowledge and belief, the facts contained in the Notice and Official Statement, and any supplement or amendment thereto (which shall be deemed an original part thereof for purposes of such statement) were, at the time of award of the Bonds, and are, as of the date of delivery of the Bonds, true and correct in all material respects and that the Notice and Official Statement did not, at the date of award of the Bonds, and does not, as of the date of delivery of the Bonds, contain any untrue statement of a

material fact or omit to state material facts required to be stated, where necessary to make a statement not misleading in light of the circumstances under which it was made. The signator shall, with the aid of the staff of City Council, take such further actions prior to the signing of the Official Statement as are deemed necessary or appropriate to verify the accuracy of the Official Statement.

Section 6. Bond Counsel Opinion. The City of San Diego will furnish the legal opinion of JENNINGS, ENGSTRAND & HENRIKSON, A Professional Law Corporation, San Diego, California, unqualifiedly approving the legality of the proceedings and the issuance of Bonds.

Section 7. Repeal of Inconsistent Resolutions. Any resolution of the City and any part of such resolution inconsistent with this resolution is hereby repealed to the extent of such inconsistency.

APPROVED: JOHN W. WITT, City Attorney

By   
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John K. Riess  
Deputy City Attorney

JKR:pev  
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Aud.Cert:=====  
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MAY 2 1969

Passed and adopted by the Council of The City of San Diego on....., by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Blenda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-273367 Adopted MAY 2 1969